

## MEMORANDUM



**TO:** Honorable Alice M. Batchelder  
Sixth Circuit Court of Appeals  
Potter Stewart U.S. Courthouse  
100 East Fifth Street  
Cincinnati, Ohio 45202

**FROM:** U.S. District Judge R. Allan Edgar

**SUBJECT:** Advance Authorization for Investigative, Expert or Other Services

It is requested that authorization be granted to obtain services in an amount in excess of the maximum allowed under the provisions of subsection (e)(3) of the Criminal Justice Act, 18 U.S.C. § 3006A, as follows:

**Case Name & Designation:** USA vs. Kenneth A. Jones - Case No. 1:07-cr-25

**Name of Expert or Investigator:** Trey Aycock, private investigator.


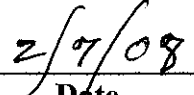

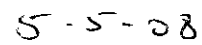
**Address:** 1010 Market Street, Suite 204, Chattanooga, Tennessee 37402.

**Reason for Application:** On May 9, 2007, the Court approved expenses up to \$1,600 under 18 U.S.C. § 3006 (A)(e)(3) [Doc. 17]. On August 1, 2007 a Motion for Authorization for Additional Investigative Services was filed requesting \$3,000 in funding for further investigative services for a total amount of \$4,600 [Doc. 24]. On October 2, 2007, the additional \$3,000 in investigative fees, for a total of \$4,600, was approved for investigative services [Doc. 36]. Subsequent to the request for \$3,000 in further funding, appointed counsel was allowed to withdraw and new counsel was appointed to represent defendant [Doc. 31].

On January 15, 2008, defendant's newly appointed counsel filed a Motion for Authorization for Additional Investigative Funds and an Affidavit in Support [Doc. No. 57] and then filed a supplement with additional information on January 29, 2008 [Doc. No. 62]. Counsel states an additional \$5,050 is needed because an investigator has been used to locate and interview some of the numerous witnesses at the residence at the time of the arrest. These witnesses were found outside of the Chattanooga area and one testified at the suppression hearing held in this case on January 18, 2008. Counsel states in his affidavit that significant time has been spent on travel by the investigator to interview witnesses and perform further investigation into the facts of the case. Additional factual witnesses outside of Chattanooga need to be located and interviewed in preparation for the trial in this matter. Counsel also requests additional funds for the investigator to assist him at the trial of this case. Counsel estimates the investigator will expend approximately 80 hours of time in investigative services for these activities and will need funds for travel of approximately 500 miles. Deducting the amount requested for travel expenses, which should not have been included in this request, counsel, in effect, is requesting an additional \$4,800 for a total approved amount of \$9,400.

**Estimated Compensation.**    \$9,400.

I certify that the estimated compensation in excess of the maximum set forth in subsection (e)(3) of the Criminal Justice Act appears necessary to provide fair compensation for services of an unusual character or duration and therefore recommend approval of this authorization in the amount of an additional \$4,800.

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| <br>_____<br>U.S. District Judge R. Allan Edgar                     | <br>_____<br>Date |
| <br>_____<br>Honorable Alice M. Batchelder<br>U.S. Court of Appeals | <br>_____<br>Date |